

CC 52-77

*Records*

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**EX PARTE OR LATE FILED**

September 6, 1995

DOCKET FILE COPY ORIGINAL

**RECEIVED**

SEP 11 1995

**FCC MAIL ROOM**

The Honorable Reed Hundt  
Chairman, FCC  
1919 "M" St. NW  
Washington, D.C. 20554

Re: Billed Party Preference

Dear Mr. Hundt:

I have heard about "billed party preference" and I certainly support that concept. I have been grossly overcharged on at least two different occasions from a pay telephone. On one occasion I was charged \$5.37 to make a two-minute phone call from a restaurant to my house (a distance of about 2 miles). Enclosed is a copy of a letter that I wrote to the carrier, as well as a letter I wrote to another carrier. I hope that "billed party preference" will help to eliminate these type of problems.

Very truly yours,



Kyle Frazier

KF/mep  
Encls.

FRAZIER\KYLE\Hundt.L01

No. of Copies rec'd  
List ABCDE

041

CC 92-77

April 29, 1993

Zero Plus Dialing  
P. O. Box 791285  
San Antonio, TX 78216

ATTN: Customer Service

RE: Acct. No. 713 669 0516 966 0  
Kyle A. Frazier  
3803 Sunset Blvd.  
Houston, Texas 77005

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Customer Service Department:

On March 31, 1994, I was charged \$5.37 to make a two-minute local phone call from a restaurant to my house (a distance of not more than 3 miles). I think this charge is outrageous. I would like you to credit my account in full for this charge.

After talking to your customer service representative today, I learned that the pay phone I called from was owned and/or operated by Central Payphone Systems (C.P.S.) and that I was charged at your high rates, as opposed to my usual long distance carrier's more reasonable rates, because I failed to enter my long distance company access number. Well, my long distance company is AT&T and I was not instructed by C.P.S. or One Plus Dialing that this was necessary for a local phone call from a pay phone. If that is your only excuse, then your company is really a ripping off consumers everywhere. It isn't normal for customers to have to use a long distance access code from a pay phone for a local call.

I think this is a perfect example of how the small long distance companies such as yourselves are taking advantage of consumers. I doubt that AT&T would have gotten away with this in the days before deregulation.

I think it is outrageous to charge \$5.37 for a two-minute local phone call. There is no justification for this outrageous charge. None of the other major long distance carriers such as

Zero Plus Dialing  
April 29, 1994  
Page 2

AT&T, MCI, Sprint or even some of the smaller carriers charge rates that are this outrageous. Their customers wouldn't allow them to; they would lose all of their customers. Perhaps your company figures that most people probably don't know of Zero Plus Dialing and won't take the time to complain about a simple local call. However, I am going to do everything I can to make sure that Zero Plus does not continue to charge these outrageous rates. The FCC and the PUC should not allow it. If they do, they are just as culpable because they are supposed to be accountable to the consumers such as myself.

After getting your address, I realized that Zero Plus has the same address as Cherokee Communications. If this is the case and your companies are somehow related, then it certainly isn't a surprise that you are charging such outrageous rates.

Please make an adjustment to my account to credit me for this call and provide a written explanation of how you can possibly justify such outrageous rates.

Very truly yours,



Kyle Frazier

cc: Zero Plus Dialing  
ATTN: President

Better Business Bureau

Federal Communications Commission  
ATTN: Customer Complaints

Texas Public Utility Commission  
ATTN: Consumer Complaints



ACCT NUMBER 713 669 0516 966 0  
APRIL 11, 1994  
DETAIL OF CHARGES PAGE 14

**ITEMIZED CALLS FOR ZERO PLUS DIALING**

NO	DATE	TIME	PLACE CALLED	AREA	NUMBER	*-	MIN	AMOUNT
BILLED ON BEHALF OF C.P.S.								
1	3 31	744PM	HOUSTON TX	713	669 0516	EC	2	
			CR CARD FROM HOUSTON TX	713	524 6780			5.37 #
<b>TOTAL ITEMIZED CALLS FOR ZERO PLUS DIALING</b>								<b>5.37</b>

# - See Reverse

"Thank You For Using Southwestern Bell Telephone"

CC 92-77

**RECEIVED**

SEP 11 1995

**FCC MAIL ROOM**

April 29, 1993

Cherokee Communications  
P. O. Box 791285  
San Antonio, TX 78279

ATTN: Customer Service

RE: Acct. No. 713 669 0516 966 0  
Kyle A. Frazier  
3803 Sunset Blvd.  
Houston, Texas 77005

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Customer Service Department:

On December 22, 1993, I wrote a letter to you requesting an explanation of a charge. To date I have not received a response to my letter. Why have you not responded? I am still waiting. I will not let this just pass by. I intend to hold Cherokee and Zero Plus responsible, especially since I just received another outrageous charge from Zero Plus Dialing.

A copy of my earlier letter is enclosed.

Please provide a written explanation.

Very truly yours,



Kyle Frazier

cc: Cherokee Communications  
ATTN: President

Texas Public Utility Commission  
ATTN: Consumer Complaints

Better Business Bureau

Federal Communications Commission  
ATTN: Customer Complaints

FRAZIER & FRAZIER

ATTORNEYS AT LAW

1100 MILAM BUILDING, SUITE 2040

HOUSTON, TEXAS 77002

BILL FRAZIER  
KYLE ALLEN FRAZIER

TELEPHONE (713) 757-0100  
FACSIMILE (713) 757-0210

December 22, 1993

Cherokee Communications  
P. O. Box 791285  
San Antonio, TX 78279

ATTN: Customer Service

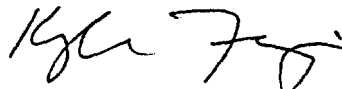
RE: Acct. No. 713 669 0516 966 0  
Kyle A. Frazier  
3803 Sunset Blvd.  
Houston, Texas 77005

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Customer Service Department:

On my most recent statement from Southwestern Bell Telephone - dated December 11, 1993 - I was charged \$5.05 for a one minute phone call from Fairfield, Texas to Houston, Texas. This call was billed by Zero Plus Dialing on behalf of Cherokee Communications. I think it is outrageous to charge \$5.05 for a one minute phone call between two cities in Texas that are a little over 100 miles apart. I realized that Cherokee does not own the phone lines and must lease them from either AT&T or someone else, but that is no justification for this outrageous charge. None of the other major long distance carriers such as MCI, Sprint or even some of the smaller carriers charge rates that are this outrageous. The public wouldn't allow them to. They would lose all of their customers. Most people probably don't know of Cherokee Communications and won't complain but I am going to do everything I can to make sure that Cherokee does not continue to charge these outrageous rates. The FCC and the PUC should not allow it. If they do, they are just as culpable because they are supposed to be accountable to the consumers such as myself.

Very truly yours,



Kyle Frazier

cc: Cherokee Communications  
ATTN: President

Texas Public Utility Commission  
ATTN: Consumer Complaints

Better Business Bureau

Federal Communications Commission  
ATTN: Customer Complaints



ACCT NUMBER 713 669 0516 966 0  
DECEMBER 11, 1993  
DETAIL OF CHARGES PAGE 9

**SUMMARY OF CHARGES FOR ZERO PLUS DIALING**

MONTHLY SERVICE - DECEMBER 11 THROUGH JANUARY 10	.00
ITEMIZED CALLS (SEE DETAIL)	5.05
-911 EQUALIZATION SURCHARGE	.02
CHARGES BEFORE TAXES	5.07
FEDERAL TAX	.15
STATE AND LOCAL TAXES	.37
<b>TOTAL</b>	<b>5.59</b>

ZERO PLUS DIALING BILLING INQUIRIES 1-800-460-0756

**ITEMIZED CALLS FOR ZERO PLUS DIALING**

NO	DATE	TIME	PLACE CALLED	AREA	NUMBER	*_	MIN	AMOUNT
BILLED ON BEHALF OF CHEROKEE COMM								
1	11	6	911PM HOUSTON TX	713	669 0516 NC		1	
			CR CARD FROM FAIRFIELD TX	903	389 9018			5.05 #

# - See Reverse

THANK YOU FOR PAYING BY MAIL



ACCT NUMBER 713 669 0516 966 0  
DECEMBER 11, 1993  
DETAIL OF CHARGES PAGE 10

**TOTAL ITEMIZED CALLS FOR ZERO PLUS DIALING** 5.05

# - See Reverse

THANK YOU FOR PAYING BY MAIL